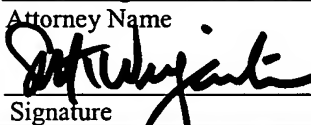


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Johannes Birzer et al.  
Serial No. : 10/500,229  
Filed : June 25, 2004  
For : Automation System and Method for Movement Control of at Least One  
Moveable Machine Element  
Examiner : TBA  
Art Unit : 3765

Certificate of Mailing Under 37 C.F.R. § 1.8	
I hereby certify that this paper is being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to: Assistant Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450	
<u>Scott Weingaertner</u>	<u>37,756</u>
Attorney Name	PTO Reg. No.
	<u>7/12/05</u>
Signature	Date of Signature

PCT Legal Administration  
Mail Stop PCT  
Assistant Commissioner for Patents  
Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

I. Attached is a copy of the official Filing Receipt received from the PTO in the above-referenced application for which issuance of a corrected Filing Receipt is respectfully requested.

II. There is an error on the Filing Receipt with respect to the following data, which is incorrectly entered and/or omitted.

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JUL 12 2005  
PATENT DIVISION

RECEIVED

<i>Error in</i>	<i>Correct data</i>
1. Applicant's name	1.
2. Applicant's address	2.
3. Title	3. Title should read "Automation System and Method for <b>Movement</b> Control of at Least One Moveable Machine Element"
4. Filing Date	4.
5. Serial Number	5.
6. Foreign/PCT Application	6.
7. Continuing Data	7.
8. Power of Attorney	8.

A marked-up copy of the Filing Receipt is enclosed. Also enclosed is a copy of the first three pages of Applicants' Preliminary Amendment showing the correct spelling of the title.

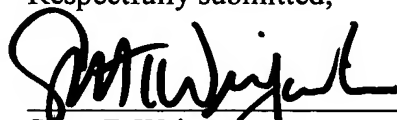
- III. ☒ The correction(s) is/are not due to any error by Applicants and no fee is due.  
☐ The requested correction is due to Applicants' error.

- IV. Issuance of a corrected Filing Receipt is respectfully requested.

Any fee which may be due in connection with this communication should be charged to Deposit Account 23-1703.

Dated: 4/12/05

Respectfully submitted,

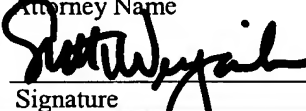


\_\_\_\_\_  
Scott T. Weingaertner  
Reg. No. 37,756  
Attorney for Applicants  
Customer No. 007470  
White & Case LLP  
Direct Line: (212) 819-8404

Enclosures: Marked-up copy of Filing Receipt (2 pages)  
Copy of first 3 pages of Preliminary Amendment (3 page)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Johannes Birzer et al.  
 Serial No. : 10/500,229  
 Filed : June 25, 2004  
 For : Automation System and Method for Movement Control of at Least One  
 Moveable Machine Element  
 Examiner : TBA  
 Art Unit : 3765

Certificate of Mailing Under 37 C.F.R. § 1.8	
I hereby certify that this paper is being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to: Assistant Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450	
Scott Weingaertner	37,756
Attorney Name	PTO Reg. No.
	9/12/05
Signature	Date of Signature

**Transmittal of Declaration for  
National Stage Patent Application**

**PCT Legal Administration  
 Mail Stop PCT  
 Assistant Commissioner for Patents  
 Box 1450  
 Alexandria, VA 22313-1450**

Sir:

The referenced U.S. application was filed on June 25, 2004, and is the U.S. national stage of PCT/DE02/04744 ("the PCT application"), filed December 27, 2002. The PCT application claims priority to German patent application DE 101 64 496.5, filed December 28, 2001.

The national stage application was filed with an unsigned Declaration, and Applicants' transmittal letter stated that a signed Declaration would be submitted subsequently. Accordingly, Applicants expected in due course to receive a Notification of Missing Requirements requiring

submission of a signed Declaration. However, no Notification was ever received, and a review of the PTO PAIR records does not indicate that a Notification was ever mailed out.

On March 4, 2005, the Office mailed a Notice of Acceptance of Application under 35 U.S.C. §371 ("Notice"). The Notice states that a Declaration was received on June 25, 2004. Applicants assume this refers to a signed Declaration. However, this would be incorrect since, as previously stated, Applicants did not file a signed Declaration on June 25, 2004.

In order to remove any ambiguity from the Office file, Applicants enclose a combined Declaration/Power of Attorney ("Declaration") signed by all inventors. Entry of the Declaration into the application file, confirmation of its acceptance, and prompt examination of the application is respectfully requested.

If any fee is required with this communication, authorization is hereby given to charge such fee to Deposit Account No. 23-1703.

Dated: 4/12/05

Respectfully submitted,



\_\_\_\_\_  
Scott T. Weingaertner  
Reg. No. 37,736  
Attorney for Applicants

Customer No. 007470  
White & Case LLP  
Direct Line: (212) 819-8404

Enclosure



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/500,229	06/25/2004	3765	1254	1140668-0066	2	29	5

007470  
 WHITE & CASE LLP  
 PATENT DEPARTMENT  
 1155 AVENUE OF THE AMERICAS  
 NEW YORK, NY 10036

CONFIRMATION NO. 7455

## FILING RECEIPT



\*OC000000015314373\*

Date Mailed: 03/04/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Raimund Kram, Erlangen, GERMANY;  
 Johannes Birzer, Stulln, GERMANY;  
 Tino Heber, Freiberg, GERMANY;

Power of Attorney: The patent practitioners associated with Customer Number 007470.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/DE02/04744 12/27/2002

## Foreign Applications

GERMANY 101 64 496.5 12/28/2001

Projected Publication Date: 06/09/2005

Non-Publication Request: No

Early Publication Request: No

Title

WHITE & CASE LLP  
 PATENT DEPARTMENT  
 MAR 14 2005  
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Automation system and method for movement control of at least one movable machine element

Preliminary Class

700

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.


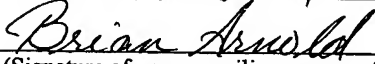
The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Raimund Kram, et al.  
Serial No. : To Be Assigned  
Filed : June 25, 2004  
For : AUTOMATION SYSTEM AND METHOD FOR MOVEMENT  
CONTROL OF AT LEAST ONE MOVEABLE MACHINE  
ELEMENT  
Examiner : To Be Assigned  
Group Art Unit : To Be Assigned

"Express Mail" Label No. **EV 287912471 US**  
Date of Deposit **June 25, 2004**. I hereby certify that this paper is being  
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Alexandria, VA 22313-1450  
  
  
(Signature of person mailing paper or fee)

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT**

Sir:

Preliminary to examination on the merits, please amend the above-referenced application  
as follows:

**Amendments to the Specification** begin on page 3 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 5 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.



**Amendments to the Specification**

Please replace the title with the following substitute text:

-- AUTOMATION SYSTEM AND METHOD FOR MOVEMENT CONTROL OF AT  
LEAST ONE MOVEABLE MACHINE ELEMENT --

Please insert the following section heading after the title and prior to paragraph [0001]:

-- FIELD OF THE INVENTION --

Please insert the following section heading after paragraph [0001] and prior to paragraph [0002]:

-- BACKGROUND OF THE INVENTION --

Please insert the following section heading after paragraph [0003] and prior to paragraph [0004]:

-- SUMMARY OF THE INVENTION --

Please insert the following section heading after paragraph [0040] and prior to paragraph [0041]:

-- BRIEF DESCRIPTION OF THE DRAWINGS --

Please insert the following section heading after paragraph [0043] and prior to paragraph [0044]:

-- DETAILED DESCRIPTION OF THE INVENTION --

Please replace the Abstract on page 15 with the following replacement Abstract:

**Abstract**

In order to improve movement control in an automation system for movement control, profiles (P) for movement control are freely defined via functions. Polynomial interpolations or spline interpolations are used for said the defined functions, the interpolations being of a higher degree.

PCT-ANTRAG

2001P23878WO

Original (für EINREICHUNG) - gedruckt am 20.12.2002 03:24:41 PM

VIII-4-1	<p>Erklärung: Erfindererklärung (nur im Hinblick auf die Bestimmung der Vereinigten Staaten von Amerika) Erfindererklärung (Regeln 4.17(iv) und 51bis.1(a)(iv)) nur im Hinblick auf die Bestimmung der Vereinigten Staaten von Amerika:</p>	<p>Ich erkläre hiermit an Eides Statt, daß ich nach bestem Wissen der ursprüngliche, erste und alleinige Erfinder (falls nachstehend nur ein Erfinder angegeben ist) oder Miterfinder (falls nachstehend mehr als ein Erfinder angegeben ist) des beanspruchten Gegenstandes bin, für den ein Patent beantragt wird.</p> <p>Diese Erklärung wird im Hinblick auf und als Teil dieser internationalen Anmeldung abgegeben (falls die Erklärung zusammen mit der Anmeldung eingereicht wird).</p> <p>Ich erkläre hiermit an Eides Statt, daß mein Wohnsitz, meine Postanschrift und meine Staatsangehörigkeit den neben meinem Namen aufgeführten Angaben entsprechen.</p> <p>Ich bestätige hiermit, daß ich den Inhalt der oben angegebenen internationalen Anmeldung, einschließlich ihrer Ansprüche, durchgesehen und verstanden habe. Ich habe im Antragsformular dieser internationalen Anmeldung gemäß PCT Regel 4.10, sämtliche Auslandsanmeldungen angegeben und habe nachstehend unter der Überschrift "Frühere Anmeldungen", unter Angabe, des Aktenzeichens, des Staates oder Mitglieds der Welthandelsorganisation, des Tages, Monats und Jahres der Anmeldung, sämtliche Anmeldungen für ein Patent bzw. eine Erfinderurkunde in einem anderen Staat als den Vereinigten Staaten von Amerika angegeben, einschließlich aller internationalen PCT-Anmeldungen, die wenigstens ein anderes Land als die Vereinigten Staaten von Amerika bestimmen, deren Anmeldetag dem der Anmeldung, für welche Priorität beansprucht wird, vorangeht.</p>
VIII-4-1 -1	Frühere Anmeldungen:	101 64 496.5, DE, 28 Dezember 2001 (28.12.2001)

## PCT-ANTRAG

Original (für EINREICHUNG) - gedruckt am 20.12.2002 03:24:41 PM

VIII-4-1 -1-1	Name:	KRAM, Raimund 1.00
VIII-4-1 -1-2	Sitz oder Wohnsitz: (Stadt und jeweils amerikanischer Staat od. Land)	Erlangen, Deutschland DEX
VIII-4-1 -1-3	Postanschrift:	Fliederstr. 7a D-91056 Erlangen Deutschland
VIII-4-1 -1-4	Staatsangehörigkeit	DE
VIII-4-1 -1-5	Unterschrift des Erfinders (falls nicht im Antrag enthalten, oder falls die Erklärung nach der Einreichung dieser internationalen Anmeldung laut der Regel 26ter korrigiert oder hinzugefügt wurde. Die Unterschrift soll nicht des Agentes, sondern des Erfinders sein.)	Raimund Kram
VIII-4-1 -1-6	Datum: (einer Unterschrift, die nicht im Antrag enthalten ist, oder einer Erklärung, die laut der Regel 26ter nach der Einreichung der internationalen Anmeldung korrigiert oder hinzugefügt wurde)	07.01.2003
VIII-4-1 -2-1	Name:	BIRZER, Johannes 2.00
VIII-4-1 -2-2	Sitz oder Wohnsitz: (Stadt und jeweils amerikanischer Staat od. Land)	Stulln, Deutschland DEX
VIII-4-1 -2-3	Postanschrift:	Friedhofweg 2 D-92551 Stulln Deutschland
VIII-4-1 -2-4	Staatsangehörigkeit	DE
VIII-4-1 -2-5	Unterschrift des Erfinders (falls nicht im Antrag enthalten, oder falls die Erklärung nach der Einreichung dieser internationalen Anmeldung laut der Regel 26ter korrigiert oder hinzugefügt wurde. Die Unterschrift soll nicht des Agentes, sondern des Erfinders sein.)	[Signature]
VIII-4-1 -2-6	Datum: (einer Unterschrift, die nicht im Antrag enthalten ist, oder einer Erklärung, die laut der Regel 26ter nach der Einreichung der internationalen Anmeldung korrigiert oder hinzugefügt wurde)	07.01.2003

## PCT-ANTRAG

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VIII-4-1 -3-1	Name:	HEBER, Tino 300
VIII-4-1 -3-2	Sitz oder Wohnsitz: (Stadt und jeweils amerikanischer Staat od. Land)	Freiberg, Deutschland DEX
VIII-4-1 -3-3	Postanschrift:	Johanna-Römer-Str. 16 D-09599 Freiberg Deutschland
VIII-4-1 -3-4	Staatsangehörigkeit	DE
VIII-4-1 -3-5	Unterschrift des Erfinders (falls nicht im Antrag enthalten, oder falls die Erklärung nach der Einreichung dieser internationalen Anmeldung laut der Regel 26ter korrigiert oder hinzugefügt wurde. Die Unterschrift soll nicht des Agentes, sondern des Erfinders sein.)	Tino Heber Heber, Tino
VIII-4-1 -3-6	Datum: (einer Unterschrift, die nicht im Antrag enthalten ist, oder einer Erklärung, die laut der Regel 26ter nach der Einreichung der internationalen Anmeldung korrigiert oder hinzugefügt wurde)	10. 01. 2003

	<p>Ich erkenne hiermit meine Pflicht zur Offenbarung jeglicher Informationen an, die nach meinem Wissen zur Prüfung der Patentfähigkeit in Einklang mit Title 37, Code of Federal Regulations, § 1.56 von Belang sind, einschließlich, im Hinblick auf</p> <p>Teilfortsetzungsanmeldungen, Informationen, die im Zeitraum zwischen dem Anmeldetag der früheren Patentanmeldung und dem internationalen PCT-Anmeldedatum der Teilfortsetzungsanmeldung bekannt geworden sind.</p> <p>Ich erkläre hiermit, daß alle in der vorliegenden Erklärung von mir gemachten Angaben nach bestem Wissen und Gewissen der Wahrheit entsprechen, und ferner, daß ich diese eidesstattliche Erklärung in Kenntnis dessen ablege, daß</p> <p>wissentlich und vorsätzlich falsche Angaben oder dergleichen gemäß § 1001, Title 18 des US-Codes strafbar sind und mit Geldstrafe und/oder Gefängnis bestraft werden können und daß derartige wissentlich und vorsätzlich falsche Angaben die Rechtswirksamkeit der vorliegenden Patentanmeldung oder eines aufgrund deren erteilten Patentos gefährden können.</p>
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